



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: **Q80853**

Noboru ASAUCHI

Appln. No.: **10/816,167**

Group Art Unit: Not yet assigned

Confirmation No.: 7872

Examiner: Not yet assigned

Filed: **April 02, 2004**

For: **NON-CONTACT COMMUNICATION BETWEEN A DEVICE AND ITS
EXPENDABLE CONTAINER**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(B) - FILING DATE GRANTED**

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted," **June 18, 2004** for the above application, Applicant respectfully submits herewith a copy of the Declaration and verified English language translation for the above identified application properly executed by the inventors. Also enclosed please find a Submission of Priority Documents with one (1) certified copy, a Preliminary Amendment, a Submission of Formal Drawings with ten (10) sheets (Figs. 1-10), an Information Disclosure Statement with PTO/SB/08 A & B (modified), and a copy of an executed Assignment with PTO Form 1595.

U.S. Application No. 10/816,167
U.S. Filing Date: 04/02/2004
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Checks for the statutory fee of \$1030.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

DM/lck

Date: August 18, 2004

Jeffrey A. Schmidt
Daryl Mexic
Registration No. 23,063
#41,574
102



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SUBMISSION OF DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find ten (10) sheets of drawings (Figs. 1-10) in compliance with 37 C.F.R. § 1.84. The Examiner is respectfully requested to acknowledge receipt of these drawings.

Respectfully submitted,

SUGHRUE MION, PLLC
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

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Date: August 18, 2004

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,167	04/02/2004	Noboru Asauchi	Q80853

CONFIRMATION NO. 7872

FORMALITIES LETTER



OC000000012977815

23373
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

Date Mailed: 06/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/19/2004 MMEKONEN 00000091 10816167

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1053	130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings

submitted are not acceptable because:

- The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 3a,3b,4b,5a,5b,6,7,9 and 10.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE